

| Category of food | Maximum level of use in food (as served) (percent) | Functional use |
|---|--|---|
| Frozen dairy desserts and mixes, § 170.3(n)(20) of this chapter and for soft candy, § 170.3(n)(38) of this chapter. | 0.04 | Flavoring agent and adjuvant, § 170.3(o)(12) of this chapter. |
| Hard candy and cough drops, § 170.3(n)(25) of this chapter. | 0.013 | Do. |
| Meat products, § 170.3(n)(29) of this chapter | 0.001 | Do. |

(2) Tannic acid may be used in rendered animal fat in accordance with 9 CFR 318.7.

(d) Prior sanctions for this ingredient different from the uses established in this section do not exist or have been waived.

[50 FR 21043, May 22, 1985]

§ 184.1099 Tartaric acid.

(a) Food grade tartaric acid ($C_4H_6O_6$, CAS Reg. No. 87-69-4) has the L configuration. The L form of tartaric acid is dextrorotatory in solution and is also known as L-(+)-tartaric acid. Tartaric acid occurs as colorless or translucent crystals or as a white, crystalline powder. It is odorless and has an acid taste. It is obtained as a byproduct of wine manufacture.

(b) The ingredient meets the specifications of the Food Chemicals Codex, 3d Ed. (1981), P. 320, which is incorporated by reference. Copies are available from the National Academy Press, 2101 Constitution Ave. NW., Washington, DC 20418, or available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC 20408.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitation other than current good manufacturing practice. The affirmation of this ingredient as generally recognized as safe (GRAS) as a direct human food ingredient is based upon the following current good manufacturing practice conditions of use:

(1) The ingredient is used as a firming agent as defined in § 170.3(o)(10) of this chapter; a flavor enhancer as defined in § 170.3(o)(11) of this chapter; a flavoring agent as defined in § 170.3(o)(12) of this chapter; a humectant as defined in § 170.3(o)(16) of this

chapter; and a pH control agent as defined in § 170.3(o)(23) of this chapter.

(2) The ingredient is used in foods at levels not to exceed current good manufacturing practice.

(d) Prior sanctions for this ingredient different from the uses established in this section do not exist or have been waived.

[48 FR 52447, Nov. 18, 1983, as amended at 50 FR 49536, Dec. 3, 1985]

§ 184.1101 Diacetyl tartaric acid esters of mono- and diglycerides.

(a) Diacetyl tartaric acid esters of mono- and diglycerides, also known as DATEM, are composed of mixed esters of glycerin in which one or more of the hydroxyl groups of glycerin has been esterified by diacetyl tartaric acid and by fatty acids. The ingredient is prepared by the reaction of diacetyl tartaric anhydride with mono- and diglycerides that are derived from edible sources.

(b) The ingredient meets the specifications of the Food Chemicals Codex, 3d. Ed. (1981), pp. 98–99, which is incorporated by reference in accordance with 5 U.S.C. 552(a). Copies are available from the National Academy Press, 2101 Constitution Avenue NW., Washington, DC 20418, or available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC 20005.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitation other than current good manufacturing practice. The affirmation of this ingredient as generally recognized as safe (GRAS) as a direct human food ingredient is based upon the following current good manufacturing practice conditions of use:

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(1) The ingredient is used in food as an emulsifier and emulsifier salt as defined in § 170.3(o)(8) of this chapter and a flavoring agent and adjuvant as defined in § 170.3(o)(12) of this chapter.

(2) The ingredient is used in the following foods at levels not to exceed current good manufacturing practice: baked goods and baking mixes as defined in § 170.3(n)(1) of this chapter; nonalcoholic beverages as defined in § 170.3(n)(3) of this chapter; confections and frostings as defined in § 170.3(n)(9) of this chapter; dairy product analogs as defined in § 170.3(n)(10) of this chapter; and fats and oils as defined in § 170.3(n)(12) of this chapter.

(d) Prior sanctions for this ingredient different from the uses established in this section do not exist or have been waived.

(e) *Labeling*: The acronym "DATEM" may be used on food labeling as the alternate common or usual name for the

ingredient diacetyl tartaric acid esters of mono- and diglycerides.

[54 FR 7403, Feb. 21, 1989, as amended at 54 FR 13168, Mar. 31, 1989; 54 FR 18382, Apr. 28, 1989; 60 FR 15872, Mar. 28, 1995]

§ 184.1115 Agar-agar.

(a) Agar-agar (CAS Reg. No. PM 9002-18-0) is a dried, hydrophylic, colloidal polysaccharide extracted from one of a number of related species of red algae (class *Rhodophyceae*).

(b) The ingredient meets the specifications of the "Food Chemicals Codex," 3d Ed. (1981), p. 11, which is incorporated by reference. Copies may be obtained from the National Academy Press, 2101 Constitution Ave. NW., Washington, DC 20418, or may be examined at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC 20408.

(c) The ingredient is used in food in accordance with § 184.1(b)(2) under the following conditions:

MAXIMUM USAGE LEVELS PERMITTED

| Foods (as served) | Percent | Functions |
|--|---------|---|
| Baked goods and baking mixes, § 170.3(n)(1) of this chapter. | 0.8 | Drying agent, § 170.3(o)(7) of this chapter; flavoring agent, § 170.3(o)(12) of this chapter; stabilizer, thickener, § 170.3(o)(28) of this chapter. |
| Confections and frostings, § 170.3(n)(9) of this chapter. | 2.0 | Flavoring agent, § 170.3(o)(12) of this chapter; stabilizer, thickener, § 170.3(o)(28) of this chapter; surface finisher, § 170.3(o)(30) of this chapter. |
| Soft candy, § 170.3(n)(38) of this chapter | 1.2 | Stabilizer and thickener, § 170.3(o)(28) of this chapter. |
| All other food categories | .25 | Flavoring agent, § 170.3(o)(12) of this chapter; formulation aid, § 170.3(o)(14) of this chapter; humectant, § 170.3(o)(16) of this chapter; stabilizer, thickener, § 170.3(o)(28) of this chapter. |

(d) Prior sanctions for this ingredient different from the uses established in this section do not exist or have been waived.

[44 FR 19391, Apr. 3, 1979, as amended at 49 FR 5611, Feb. 14, 1984]

§ 184.1120 Brown algae.

(a) Brown algae are seaweeds of the species *Analipus japonicus*, *Eisenia bicyclis*, *Hizikia fusiforme*, *Kjellmaniella gyrate*, *Laminaria angustata*, *Laminaria cloustonia*, *Laminaria digitata*, *Laminaria japonica*, *Laminaria longicuris*, *Laminaria longissima*, *Laminaria ochotensis*, *Laminaria saccharina*, *Macrocystis pyrifera*, *Petalonia fascia*, *Scytosiphon lomentaria* and *Undaria*

pinnatifida. They are harvested principally in coastal waters of the northern Atlantic and Pacific oceans. The material is dried and ground or chopped for use in food.

(b) The ingredient meets the specifications for kelp in the Food Chemicals Codex, 3d Ed. (1981), p. 157, which is incorporated by reference. Copies are available from the National Academy Press, 2101 Constitution Ave. NW., Washington, DC 20418, or available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC 20408.

(c) In accordance with § 184.1(b)(2), the ingredient is used in food only within the following specific limitations: